



—hard a starboard, will ye!" shouted the Tenant. "Bring her to the wind;—we're not to let the poor fellow go in this way!"—"Hollo, there! management, bear a-hand! clear a-way that boat comes a-quar'!"

By this time the ship, rolling till she fell at once on her beam end, came up to the wind with a mighty sweep; the waves were traversed like high roads; the boat got where the poor fel low had lost his hold, before her way could be over; the rudder too had now spread-sail, and his companions, from the starboard berth, were leaping upon deck. Gallant and daring, but rash as they were, brave, they needed not the danger—they looked not on the raging sea—they thought not of the spear to be traversed against a furious wind—or of the impossibility of saving an object, in the water, through darkness, mist, and spray—they only thought of saving their masts—those friend; to whom they lived like a brother—they sprung into the boat in a moment, to the number of five or six, and fierce demands for oars and rudder, were mingled with cries of "Cast loose, man, be east loose, and lower away—lower away, and be d—d to ye—the poor fellow will be gone." But the topmen and quarter-masters, more experienced and less excited than the sailors, who had pursued the fall of the boat, or rather the certainty of destruction, in an attempt which must be fruitless, and they were slowly and reluctantly obeying those repeated and peremptory orders, when the voice of the captain was heard, in tones of grave authority, rising above the tumult and the roar of the winds.

"Keep all fast, men—keep all fast, I say: what are you mad? What would you wantonly add to this night's loss? What boat could live a moment in that sea?—what hands could pull her to windward a single fathom if she floated? secure the boat, men, and return to your stations." "Lieutenant O.," said he, addressing the officer of the watch, as soon as the men had left the quarter-deck, "this attempt should not have been permitted. I reckoned more upon you, as an officer of tried experience. O duty, sir, feelings of mind never overrule the judgment, and he, in the exercise of their judgment, would have committed the lives of men to the mercy of such a sea! Young men, the motives of your thoughts conduct excuse you from my censure; but let the peril you have so narrowly escaped, be a lesson for the future;—learn to distinguish between the resolute courage which becomes a man, and the blind fool-hardiness, which fruitlessly exposes the lives of others with our own: if ye seek to become officers, this is a point of the first importance. No one of you regrets the fate of young Connolly 'more than I do, but the hand of God was plainly in the matter; and were ye to strive against His might? Return to your duties your berths, M. G. get the ship before the wind again, and keep your regular course."

The frigate once more surprised her rapid way; and on the morrow, past Connolly's anchorage, and her former property, was brought up, anchor to anchor, to be examined and inventoried;—it is frequently the case on such occasions. An action was made, of such articles of commerce as were not likely to be valued by his mother and sisters; the produce of which was sold for their benefit. At this sale, each of his sisters purchased some little memorial of their unfortunate comrade, without paying much attention to the price they gave; for they knew well how much it would be needed, and yet kept poorly the whole amount, were it ten times as great, could compensate for a loss so irreparable. That good will did not stop here: a collection was set on foot, to which every one contributed his mite; and the officers of the ship, desirous of testifying their regard for the deceased, added such what he could spare, for the benefit of the bereaved widow.

Many a glance was directed at the vacant deck, and at the deck, as the ship was now laid at the usual hour, at their scanty meal—the customary month was clouded; and much, and most sincere regret was expressed for the loss of so true hearted a comrade. But the next day his seat was occupied by some other member of the mess,—allusions to their lost friend were less frequent;—other events occurred, and afforded fresh topics of conversation;—and, less than a week, the name of Connolly ceased to be mentioned; he had passed as it seems from their memories, as he had from their presence—like a bubble on the current of human life, which dances gaily and sparkles for a while, then bursts, and is soon no more.

From a late English Paper.

PREROGATIVE COURT, LONDON, Nov. 6.

A WILL CASE.

LILLY v. LUSHINGTON. —Dr. Lushington said he appeared for the 1<sup>st</sup> gates under the will of Mr. Lilly, of New College gardens, who died in October, 1828, leaving to his mother, Mrs. Anne Lilly (for whom he, Dr. Lushington, appeared), and to his brother, the greater part of his freehold property, and a sum of £1000, and a small sum to his wife. He also executed a codicil by which he bequeathed to his nephew £100, and his watch and seals. On the death of the testator that will was not forthcoming, it was alleged by the wife that the testator had destroyed it previous to his death. The question, therefore, for the Court to decide upon the evidence would be, whether the testator destroyed the will himself, or that it was destroyed by some, wholly without his knowledge or consent, or whether he died intestate. On the part of the widow, several allegations had been put in, stating that when the will was made her husband was very ill, and was labouring under impressions against her, through the misrepresentations of his mother and brother, and that he afterwards acted under their influence, and that his wife was very unjust, and that his mother and brother had greatly misrepresented her conduct. The allegations then went on to state that, from that period up to the time of his decease, he behaved with great kindness and affection to his wife for her unmeriting attention to him; that he regretted that he had made such a will, and that he could make another. He would show the Court, by the evidence, how far these points were made out, when he should address the Court again, his application now being that the paper proposed be received as the testator's will.

Dr. Dogson, for the widow, contended that this paper ought not to be received as the will and codicil of the deceased. The burden of proof lay upon the party setting up this paper, as the will of the testator, and that the will was made without the consent of the testator. Evidence upon the subject of the will had been given by his clerks, and the present suit ought not to have been instituted, creating as it did considerable expense to the widow.

Dr. Lushington, in reply, said that it appeared, from the evidence, that the deceased had married in 1827, that shortly after, being very ill, he made his will, and the cause of his so disposing of his property they had not merely from the witness, but also from the very preamble of the will itself, from which it appears that he considered that his wife's father was quite able to allow his daughter a maintenance, particularly as he had not received with his wife all the money which he was led to expect, he, with difficulty, only getting with her £500. He, therefore, thought it just that the property which his father had left him should go to his son. It was stated that the deceased, previous to his death, had sold his will and codicil from his confidential friend, Mr. Whitmore, and that he destroyed them. There was no evidence to prove either the truth or the other. It was stated that Mr. Whitmore gave them either to the deceased's clerk or maid-servant, and that one of them was delivered them to their master. Both the clerks and maid-servant deposed that they never either received them or delivered them to the deceased. There was no declaration of the deceased to any of his friends that he intended to

change the disposition of his property, or that he had destroyed the will. It was also probable that he made up his mind to die intestate, as he probably could give a moiety of the property to his wife, take away that which he gave to the mother by the will, and give it to his brother, of whose conduct he had expressed his disapprobation. Under all the circumstances of the case, he submitted that the paper proposed should be received as the will of the deceased.

Dr. Nisbett followed on the same side.

Dr. Dawson and Dr. Adams being heard in reply.

Sir John Nichols proceeded to give judgment. He said the instrument set up in this case is a draft of a will alleged to have been destroyed. The party setting up this draft must prove that it was destroyed not by himself, but by some other person.

Mr. Wemyss respectfully informed the public that he and his friends, "and never will take place in the Chestnut Street Theatre, on WEDNESDAY EVENING, December 20, 1829, on which occasion a variety of entertainments in the course of the evening, the whole to conclude with a favorite farce, the Book now open."

WEMYSS'S BENEFIT.  
CHESTNUT STREET THEATRE.  
No Stars! But Real Attraction!!!

A STERLING OLD COMEDY

with a powerful cast of characters embracing the whole strength of the Company.

MR. WEMYSS respectfully informs the public that he and his friends, "and never will take place in the Chestnut Street Theatre, on WEDNESDAY EVENING, December 20, 1829, on which occasion a variety of entertainments in the course of the evening, the whole to conclude with a favorite farce, the Book now open."

THE WAY TO KEEP HIM.

To be performed at the Chestnut Street Theatre.

Written by Arthur Murphy, Esq. author of *All in the Wrong*—Three weeks after Marriage—Know your own Mind—The Old Maid—School for Girls—The First Drama production in the English language.

A variety of entertainments in the course of the evening, the whole to conclude with a favorite farce, the Book now open.



## PHILADELPHIA:

SATURDAY EVENING, DEC. 26, 1829.

The appearance of the weather, on Thursday, threatened a rainy CHRISTMAS. The anticipation, however, of such an untoward occurrence which would have eclipsed the gaiety of thousands and must have been regretted by all the hands of Mr. Whitmore's banker for great responsibility. That will was not, certainly, beneficial to the wife; and it does not appear that she knew any of its contents, or that her husband disclosed them to her. The property of a freed slave house was to the deceased's mother, and out of the £3000 personal estate a sum of £1000, which was given to the mother, and, being very ill, he sent for an old friend, a Mr. Whitmore, who seemed to be the manager of his money affairs, and he gave him instructions to draw up a will. These instructions Mr. Whitmore gave to his solicitor, and the will was prepared accordingly; and, when executed, was put in a tin box, and placed in the hands of Mr. Whitmore's banker for great responsibility. 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NEW BOOKS—FOR CHRISTMAS.

*THE MARY MORTIMER*, by Mrs. Hogbin.

*THE PEARL*, for 1830, 8 beautiful plates.

*Henry's Stories for Children*.

*Stories for Adults*, by the Author of Stories for Children.

*The Best Own Book*.

*The Youth's Keepsake*. Together with all the English and American Almanacs for 1830, for sale by

THOS. T. A. THOMAS, 129 Chestnut street, dec. 24—41.

**LIFE OF JEFFERSON.**

**MEMOIRS**, Correspondence, and Miscellanies, from the papers of Thomas Jefferson, edited by Thomas Jefferson Randolph, just received by

C. LITTELL & BROTHER.

*Christmas and New Year's Presents*.

**THE ATLANTIC SOUVENIR**; Token; Pearl; Talisman; Forget Me Not; Friendship's Offering; Literary Souvenir; Iris, or Religious and Literary Souvenir; Iris, or Religious and Literary Souvenir; Juvenile Keepsake; Lady of the Manor—new edition, 720 pages, complete.

*Annals of the Poor*, by the Rev. Leigh Richmond—new, with engravings.

*Mrs. Timmer's Natural History*—new edition, 200 engravings.

*Emma Mortimer*, by Mrs. Hogbin.

*Sketches of American Character*, by Mrs. Hall.

*Geographical Present*, for Young Persons—entitled

*Map of Florida*.

*The Memoria*, or Lady and Gentleman's Diary for 1830.

*The American Almanac and Repository of Useful Knowledge*, for 1830.

*Pearl Sister*, in a variety of elegant bindings.

*Episcopal Prayer Books*, do, do.

*Albion*, assorted sizes, do.

*With a variety of Juveniles*, do, do, do.

*TUWH & HOGAN*, No. 253 Market street, dec. 24—31.

**Christmas and New Year's Presents**.

**FOR SALE** by E. L. CAREY & A. HART, cor-

ner of Fourth and Chestnut streets,

*The Landmarks Annual*, edited by Thomas Hopper, and published with twenty-six splendid line engravings, by the first artists.

*The Great Library Annual*, embellished with thirty-six engravings.

*The Literary Souvenir*, edited by Alaria A. Waits, embellished with twelve splendid line engravings, by the first Artists.

*The Amoret*, a Christian and Literary Souvenir, or, a Memorial of Mrs. C. Hall, embellished with twelve highly finished engravings.

*The Bijou*, an Annual of Literature and the Arts, with numerous fine plates.

*The Iris, a Literary and Religious Offering*, for 1830, edited by Mrs. Hall, embellished with eleven fine engravings, after the old masters.

*The New Year's Gift*, edited by Mrs. Alaria A. Waits, fine plates.

*The Juvenile Forget-Me-Not*, edited by Mrs. S. C. Hall, fine plates.

*The Forget-Me-Not*, edited by F. Shoberl, embellished with fourteen plates.

*The Winter's Wreath*, embellished with twelve fine plates.

*The Juvenile Keepsake*, twelve fine plates.

*The Token, Talisman, Pearl*, with a variety of Books, splendid bindings, suited to the present season.

Price. 24—41.

**THE BOTTLE IMP.**

**WE** have in our possession an article which

will entice the buyers to all the luxuries this

world over—in the year 1830, we had one of the

best—this it fell to the lot of J. D. Esq. a merchant

of this city. Any persons wishing to own the one

recommended, may make further application by applying

Price to the 2d of January, 1830.

**CLINTON & CO.**, 33 South Third street.

**The American Almanac**,—Price \$1.

**JUST** received and for sale by **JOHN GRIGG**,

No. 25 North Fourth street, the American Almanac, and Repository of Useful Knowledge, for 1830.

**Part 1.** Calendar and Natural Phenomena, for the year.

**Part 2.** Information, with the Calendar, and Explanations of Celestial Changes and Astronomical Phenomena.

**Part 3.** Miscellaneous Directions, Hints and Remarks.

**Part 4.** Statistical and general information concerning Foreign Countries.

**Part 5.** Statistical and other intelligence respecting the United States.

This is the most useful and elegant Almanac ever published in this country.

Price. 24—41.

**CHRISTMAS PRESENTS.**

A GREAT variety of new and beautiful arti-

cles, suitable for the approaching season, are in low prices, and will be sent to all who apply to call and examine the articles for sale by

S. HART,

63 South Third street, opposite Girard's Bank.

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**AMERICAN ALMANAC**, for 1830.

**JUST** received and for sale by **E. LITTELL & BRO.**

corner of Second and Chestnut streets, the American Almanac and Repository of Useful Knowledge, for the year 1830.

**Part 1.** Calendar and Natural Phenomena, for the year.

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**CHRISTMAS PRESENTS.**

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